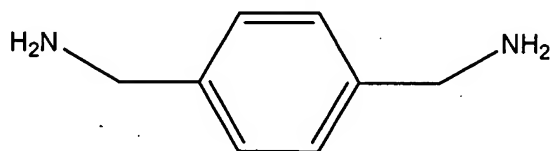


Moreover, Applicants point out that this application was filed as a divisional of parent application U.S. Ser. No. 10/209,183, which is now abandoned. As noted in the preliminary amendment filed in the present case on February 25, 2004, Applicants filed this divisional application with the intent of pursuing a restriction group identified by the Examiner in the parent application. Thus, Applicants stated in their preliminary amendment that “claims 1-23, 27-33, 56-65, and 68-77 correspond to Restriction Group 2, drawn to a method of making an MRI agent using a peptide and the linker subunit moiety:



In that preliminary amendment, Applicants had also set forth an election of species, stating: “[i]n the event that the Examiner requests, as in the parent case, that Applicants elect a species within the elected group under 35 U.S.C. § 121, Applicants elect the species of

The chemical structure of compound 1 is a gadolinium complex. It features a central gadolinium ion (Gd<sup>III</sup>) coordinated by a macrocyclic ligand. The macrocycle is a 12-membered ring with four nitrogen atoms and four oxygen atoms, forming a cage-like structure around the metal ion. The macrocycle is substituted with four acetate groups. A long, flexible side chain is attached to the macrocycle, containing a carboxylic acid group, a thiol group, a chlorine atom, and an amine group. The side chain is connected to the macrocycle via an amide bond. The side chain contains a thiol group, a chlorine atom, and an amine group. The side chain is connected to the macrocycle via an amide bond. The side chain contains a thiol group, a chlorine atom, and an amine group. The side chain is connected to the macrocycle via an amide bond.

Claims 1-3, 5-8, 11, 13-15, 17, 19-22, 27, 29-33, 56-65, 68, and 70-76 are drawn to the elected species.”

As in the preliminary amendment, Applicants refer the Examiner to a schematic of Structure 36, attached hereto, depicting its components. Structure 36 includes a modified peptide sequence. On the C-terminal side of the modified peptide (i.e., the right-hand side of Structure 36), the modified peptide is conjugated to one linker-subunit moiety, thereby forming an amide linkage on the C-terminus of the modified peptide. In turn, the remaining amino moiety of the elected linker-subunit (i.e., the amino moiety in the para position) is conjugated to a linker moiety, also via an amide bond. Next, the linker moiety is conjugated via two amide bonds to two metal chelate complexes. The N-terminus of the modified peptide is not conjugated to a linker-subunit. The N-terminus of the modified peptide forms an amide bond with the same linker moiety as shown on the C-terminal side, which in turn is conjugated via two amide bonds to two of the same metal chelate complexes.

Given the fact that this Application was filed as a divisional in response to a restriction requirement in the parent case, Applicants respectfully suggest that any additional restrictions to such a group should have been properly set forth in the parent case. Accordingly, Applicants respectfully request the withdrawal of the restriction requirement. Alternatively, Applicants request the modification of the restriction requirement to recite the non-natural peptide derivatives discussed above. The Examiner is invited to telephone the under-signed attorney if such would expedite prosecution.


Applicant : Zhaoda Zhang et al.  
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Enclosed is a check for the petition for extension of time (four months). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 11/15/05

  
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